

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOSE ANTONIO CASAS,

Plaintiff(s),

v.

BEST BUY CO., INC., et al.,

Defendant(s).

Case No. 2:19-CV-1928 JCM (VCF)

ORDER

Presently before the court is the matter of *Casas v. Best Buy Co., Inc. et al*, case number 2:19-cv-01928-JCM-VCF.

On April 19, 2019, plaintiff Jose Antonio Casas (“plaintiff”) brought this action against, defendants Best Buy Co., Inc. (“Best Buy”) and Victoria Dannemann (“Dannemann”). (ECF No. 1-1). Plaintiff has not appeared or taken action in this matter since July 8, 2021. (*See* ECF No. 21).

This court has since ordered plaintiff to file proof of service or show good cause for failure to serve Dannemann on or before March 30, 2023. (ECF No. 27). To date, Dannemann has not been served, and plaintiff has not responded to this court’s March 30, 2023, order.

On September 28, 2022, this court granted Best Buy’s motion for summary judgment. (ECF No. 25). Judgment has not yet been entered in this matter.

“If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m).

1 Because plaintiff has not responded to this court's order, he fails to show good cause
2 as to why he failed to serve Dannemann within the deadline. (See ECF No. 27).
3 Accordingly, Dannemann is dismissed from this matter. Fed. R. Civ. P. 4(m).

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that this matter is
6 DISMISSED against defendant Dannemann without prejudice.

7 The clerk of the court is instructed to enter judgment for Best Buy, dismiss
8 Dannemann from this action, and close this case.

9 DATED March 31, 2023.

10 
11 UNITED STATES DISTRICT JUDGE